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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

MARVIN MAURICE CAMPBELL,	)	No. C-11-00073 CW
	)	CR-09-00640 CW
Movant,)	
	)	UNITED STATES' REQUEST TO
v.	)	EXTEND DEADLINE FOR RESPONSE
	)	TO DEFENDANT'S MOTION UNDER 28
UNITED STATES OF AMERICA,	)	U.S.C. § 2255
)	
Respondent.)	
)	
)	

On January 14, 2011, the Court issued an Order To Show Cause, ordering the United States to file a response to defendant's motion brought pursuant to 28 U.S.C. § 2255. Thus, the United States' response is currently due on February 14, 2011. Pursuant to Crim. L. R. 47-3, and for the reasons stated below, the United States requests that the Court extend the deadline for the United States to respond to defendant's motion to March 21, 2011. The United States will serve a copy of this request on defendant.

On April 27, 2010, before the Honorable Donna M. Ryu, defendant pleaded guilty to (1) possession with intent to distribute a Schedule II controlled substance, namely, at least five hundred grams of a mixture and substance containing a detectable amount of cocaine, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B)(ii); and (2)

1 possession of a firearm in furtherance of a drug trafficking crime, in violation of Title 18, United
2 States Code, Section 924(c)(1)(A). Defendant was sentenced by this Court on July 21, 2010, and
3 filed the instant motion on January 6, 2011.

4 The April 27, 2010 change of plea proceedings were captured on an audio recording, but
5 have not yet been transcribed. To facilitate its response to defendant's motion, the United States
6 has ordered a transcript of the change of plea proceedings. The United States does not expect the
7 transcript to be completed until approximately February 7, 2011. Furthermore, counsel for the
8 United States will be out of the office and unavailable from approximately February 21, 2011
9 until approximately March 7, 2011.

10 To allow the United States to receive and to review the transcript from the change of plea
11 proceedings, and to allow the United States to prepare a response to defendant's motion, the
12 United States respectfully requests that the Court extend the deadline for the United States to
13 respond to defendant's motion under 28 U.S.C. § 2255 to March 21, 2011.

14
15 DATED: January 31, 2011

Respectfully submitted,

16 MELINDA HAAG
17 United States Attorney

18
19 /s/
JAMES C. MANN
20 Assistant United States Attorney


UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

11	MARVIN MAURICE CAMPBELL,	)	No. C-11-00073 CW
12	Movant,	)	CR-09-00640 CW
13	v.	)	ORDER GRANTING UNITED STATES'
14	UNITED STATES OF AMERICA,	)	REQUEST TO EXTEND DEADLINE FOR
15	Respondent.	)	RESPONSE TO DEFENDANT'S MOTION
16		)	UNDER 28 U.S.C. § 2255

The United States' deadline to respond to defendant's motion under 28 U.S.C. § 2255 is currently February 14, 2011. Pursuant to Crim. L. R. 47-3, and for the reasons stated in the United States' Request To Extend Deadline For Response To Defendant's Motion Under 28 U.S.C. § 2255, the United States requested that the Court extend the deadline to March 21, 2011. Specifically, the United States requested additional time to have the audio recording of the change of plea proceedings transcribed. Additionally, counsel for the United States is unavailable from approximately February 21, 2011 until approximately March 7, 2011.

IT IS HEREBY ORDERED that the United States' deadline to respond to defendant's motion under 28 U.S.C. § 2255 is extended to March 21, 2011. Movant shall reply within thirty-five (35) days of his receipt of the response.

DATED: 2/1/2011


HON. CLAUDIA WILKEN
United States District Court Judge